

### **REMARKS**

Claims 24-43 and new claims 44-47 are pending in this application. In this Response, Applicants have amended certain claims. In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

In particular, independent claims 24, 30, and 37 have been amended to further clarify that the golf ball of the invention has a profile that is defined by a hob profile having certain characteristics. In addition, various dependent claims have been amended to maintain consistency with the rewritten independent claims. Furthermore, new claims 44-47 recite additional embodiments of the invention. The subject matter of the amended claims, as well as the new claims, is fully supported by the Specification. *See, e.g.*, Specification at Page 3, lines 20-24 and Page 5, line 23 to Page 6, line 24.

As no new matter has been added by the amendments herein, Applicants respectfully request entry of these amendments at this time.

### **THE REJECTIONS UNDER 35 U.S.C. §§ 102 and 103**

Claims 24-43 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,083,119 to Sullivan *et al.* for the reasons stated on pages 2-3 of the Office Action. Sullivan does not anticipate or render obvious the present invention for the reasons that follow.

The Examiner cites Sullivan for its disclosure of a golf ball having a core and a cover, as well as an intermediate layer formed from an ionomer. Office Action at page 2. It appears that, while the Examiner recognizes that the method claims of the parent (U.S. Patent No. 6,726,869) are not disclosed in the prior art, the Examiner is of the opinion that the claimed golf ball is disclosed by Sullivan. In an attempt to further clarify the golf ball of the invention, Applicants have amended the claims to recite that the golf ball has a profile that results from a hob profile having an arcuate surface, the particulars of which are featured in the various independent claims.

Sullivan does not disclose or suggest a golf ball having a profile that is defined by a hob profile having two or three arcs having different center points, as presently recited in the independent claims. And, while Sullivan generally discusses molding a cover around an inner ball, the reference is completely silent as to any requirement that the golf ball have a profile that is defined by a hob profile having at least two (or three) arcs having different center points. Based on this lack of discussion, Sullivan does not anticipate the claims.

In addition, those of ordinary skill in the art would not have been motivated to arrive at the present invention by using Sullivan. In fact, as addressed in the background section of the instant application, because Sullivan does not instruct as to a different molding method, a skilled artisan would have likely used a golf ball mold made from a hob that had an outer surface that was a section of a sphere. Page 1, lines 20-21. As such, any golf ball resulting from this conventional golf ball mold would have had a degree of sphericity that was actually less than the degree of sphericity of the hob.

For at least these reasons, Applicants respectfully submit that Sullivan does not disclose or suggest the present invention. Thus, Applicants respectfully request reconsideration and withdrawal of the § 102 rejection based thereon.

#### **CHANGE IN ATTORNEY DOCKET NUMBER**

A Request for Change in Attorney Docket Number is submitted herewith to reflect the change from 20002.0029A to 20002.0399. Applicants respectfully request recognition of this change in future correspondence relating to this application.

#### **CONCLUSION**

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of Time is submitted herewith to extend the time for response one month to and including November 1, 2004. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 195127, Order No. 20002.0399.

Respectfully submitted,  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

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